

1 John C. Grugan (*pro hac vice* forthcoming)
gruganj@ballardspahr.com
2 Jenny N. Perkins (*pro hac vice* pending)
perkinsj@ballardspahr.com
3 BALLARD SPAHR LLP
1735 Market Street, 51st Floor
4 Philadelphia, PA 19103
Tel: 215.665.8500

5 Madeleine Coles
6 Nevada Bar No. 16216
colesm@ballardspahr.com
7 BALLARD SPAHR LLP
1980 Festival Plaza Drive, Suite 900
8 Las Vegas, NV 89135
Tel: 702.471.7000

9 Mitchell Turbenson (*pro hac vice* pending)
10 turbensonm@ballardspahr.com
BALLARD SPAHR LLP
11 1 East Washington Street, Suite 2300
Phoenix, AZ 85004-2555
12 Tel: 602.798.5400

13 *Attorneys for Defendants Comerica Bank, Conduent State*
14 *& Local Solutions, Inc., and Conduent Business Services,*
LLC

15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 DAVID J. MOSCATO, on behalf of himself
18 and all others similarly situated,

19 Plaintiff,

20 vs.

21 COMERICA BANK, CONDUENT STATE
& LOCAL SOLUTIONS, INC.,
22 CONDUENT BUSINESS SERVICES,
LLC,

23 Defendants.
24

Case No. 2:23-cv-00993-JAD-DJA

**STIPULATION AND ORDER TO
EXTEND TIME FOR DEFENDANTS
TO FILE A REPLY BRIEF IN
FURTHER SUPPORT OF THEIR
MOTION TO DISMISS**

(First Request)

ECF No. 25

1 It is hereby stipulated and agreed by and between the undersigned parties, Plaintiff
2 David J. Moscato (“Plaintiff”) and Defendants Comerica Bank, Conduent State & Local
3 Solutions, Inc., and Conduent Business Services, LLC (collectively, “Defendants”), that the
4 time to file Defendants’ Reply Brief in Further Support of their Motion to Dismiss Class
5 Action Complaint filed on September 6, 2023 (ECF No. 10) and currently due on October
6 12, 2023, is extended to Friday, October 20, 2023. Further, the parties state as follows:

- 7 1. The Class Action Complaint was filed on June 27, 2023 (Doc. No. 1).
- 8 2. Defendants filed their Motion to Dismiss Class Action Complaint on
9 September 6, 2023 (Doc. No. 10).
- 10 3. Plaintiff obtained a two-week extension to respond to Defendants’ Motion to
11 Dismiss and filed their Opposition on October 5, 2023.
- 12 4. Defendants’ counsel are diligently working on preparing Defendants’ Reply
13 Brief in Further Support of their Motion to Dismiss.
- 14 4. In the interest of justice and to ensure that the Court receives a well-prepared
15 reply, Defendants request an extension of time to file their reply.
- 16 5. Plaintiff, through their counsel, consent to the extension.
- 17 6. This is the first request for an extension of time to file a reply in support to
18 Defendants’ motion to dismiss.

19
20 RESPECTFULLY SUBMITTED this 10th day of October, 2023.

21 BALLARD SPAHR LLP

22 By: /s/ Madeleine Coles

23 John C. Grugan

(pro hac vice forthcoming)

24 gruganj@ballardspahr.com

Jenny N. Perkins

(pro hac vice forthcoming)

25 perkinsj@ballardspahr.com

26 Madeleine Coles

Nevada Bar No. 16216

27 colesm@ballardspahr.com

Mitchell Turbenson

(pro hac vice forthcoming)

28 turbensonm@ballardspahr.com

*Attorneys for Defendants Comerica Bank,
Conduent State & Local Solutions, Inc., and
Conduent Business Services, LLC*

/s/ Evan S. Rothfarb
Evan S. Rothfarb
Daniel A. Schlanger
SCHLANGER LAW GROUP, LLP
80 Broad Street, Suite 3103
New York, NY 10004
Email: erothfarb@consumerprotection.net
Email: dschlanger@consumerprotection.net
*Attorneys for Plaintiff David J. Moscato and
the Putative Class*

ORDER

**Based on the parties' stipulation [ECF No. 25] and good cause appearing, IT IS
ORDERED that the defendants' deadline to file their reply in support of the motion
to dismiss is extended to October 20, 2023.**


UNITED STATES DISTRICT JUDGE

DATED: **10/16/23**